



**VIRGINIA
& AMBINDER LLP**

Attorneys at Law

The conference scheduled for
Dec. 2, 2011 is adjourned to Dec. 20, 2011
at noon.
SO ORDERED:

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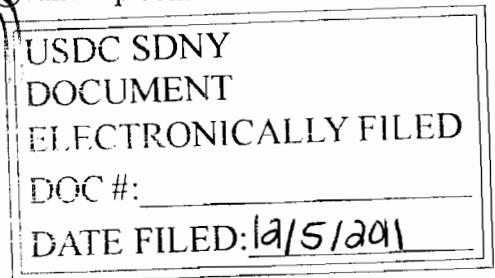
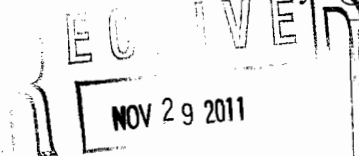
WILLIAM H. PAULEY III U.S.D.J.

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November 28, 2011

VIA HAND DELIVERY

Honorable William H. Pauley III
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007



Re: Apolinar Hernández et. al. v. Lansky's Equities Corporation et. al.
Docket No. 10-CV-9495 (WHP)

Dear Judge Pauley:

This firm is counsel to Plaintiffs in the above-referenced wage and hour action. I write on consent of both parties to apprise Your Honor of the status of the action.

The parties are pleased to report that throughout the last four weeks, there has been progress towards reaching a global resolution of the action. To this end, the Defendants are currently evaluating Plaintiffs' settlement proposal that would encompass all three restaurant locations (Sushi a Go-Go, Jalapenio, and Lansky's) for a period dating back to December 22, 2004. In addition to Plaintiffs' proposed damage demands, the proposal further contemplates certification of a Rule 23 class to cover New York Labor Law claims, for settlement purposes only.

Defendants' new counsel is currently evaluating Plaintiffs' proposal. After Defendants respond to Plaintiffs' proposal, the parties plan on meeting in person to discuss resolution. If the parties are unable to reach a settlement of this matter by December 15, 2012, Plaintiffs intend to move for Rule 23 certification to cover New York Labor Law claims.

Respectfully submitted,

Leonor H. Coyle

cc: Michael Vollbrecht, Esq. (via Electronic Mail)